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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,355	01/15/2004	Wesley K. Masenten	DITRANS.003C1	5305

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EXAMINER	
ODOM, CURTIS B	

ART UNIT	PAPER NUMBER
2634	

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/758,355	MASENTEN, WESLEY K.	
	Examiner	Art Unit	
	Curtis B. Odom	2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 9, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kenworthy (U.S Pantent No. 5, 691, 978).

Regarding claim 6, Kenworthy discloses a transceiver comprising:

a receiver direct converter (Fig. 1, block 25 and Fig. 3, block 45, column 3, lines 43-52) translating a received signal to a baseband of the received signal and digitizing the translated, received signal;

an adaptive canceller (Fig. 1, block 27, and Fig. 3 column 3, line 53-column 4, line 7) comprising a reference direct converter, the reference direct converter (Fig. 3, blocks 41 and 43, column 3, line 53-column 4, line 7) outputting a digitized transmit signal reference of a spectral energy of a transmitter within the bandwidth of a receiver; and

a matched filter (Fig. 2, column 3, lines 17-34, wherein the analog canceller (filter) taps are matched to the interference in the signal) wherein the receiver direct converter, the reference direct converter, and the matched filter suppress the spectral energy of the transmitter within the bandwidth of the receiver (column 3, line 17-column 4, line 8).

Regarding claim 2, Kenworthy discloses the transceiver of claim 1, wherein the transceiver is a full duplex transceiver (column 2, lines 32-34).

Regarding claim 3, Kenworthy discloses the transceiver of claim 1, further comprising a transmit and receive antenna radiator (Fig. 4, element 17).

Regarding claim 4, Kenworthy discloses the transceiver of claim 1, further comprising a transmit antenna radiator and a receive antenna radiator (Fig. 1, elements 17 and 21).

Regarding claim 9, Kenworthy discloses the transceiver of claim 1, wherein the transceiver is adapted to cancel interference from other co-sited transmit antennas (column 2, lines 55-59).

Regarding claim 12, Kenworthy discloses a transceiver (Fig. 6) comprising:

duplexer (Fig. 6, block 171, column 4, lines 57-65) coupled to an antenna ;

a receiver (Fig. 6, block 20) receiving a first signal from the duplexer;

a transmitter (Fig. 6, block 10) sending a second signal to the duplexer; and

an adaptive, digital, coherent spectral canceller coupled to the receiver and the transmitter, the canceller attenuating a signal spectrum leakage of the second signal within a bandwidth of the first signal (Fig. 6, block 27, column 3, line 53-column 4, line 8).

3. Claims 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Banerjea et al. (U.S Pantent No. 6, 240, 128).

Regarding claim 10, Banerjea et al. discloses a method of attenuating a transmitter signal spectrum within a bandwidth of a receiver, the method comprising:

digitizing (Fig. 1, block 111, column 3, lines 57-60) a received signal which is corrupted by components of a transmit signal;

creating (Fig. 1, block 105, column 3, line 64-column 4, line 29)) a digitized reference transmit signal (echo estimate signal) of the transmit signal within the bandwidth of the receiver;

aligning (Fig. 1, block 105, column 3, line 64-column 4, line 29, see also U.S. Patent No. 3, 500, 000) the digitized reference transmit signal in amplitude, phase, and time delay with the digitized received signal;

subtracting (Fig. 1, block 113, column 4, lines 14-30) the digitized reference transmit signal from the digitized received signal to form a residue;

suppressing (Fig. 1, block 118, Abstract) a transmitter spectral signal power of the residue within the bandwidth of the receiver; and

Regarding claim 11, which inherits the limitations of claim 10, Banerjea et al. discloses adjusting (column 14, lines 17-30) the transmit signal based on the residue determined by subtracting the digitized reference transmit signal from the digitized received signal.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenworthy (U.S. Patent No. 5, 691, 978).

Regarding claim 5, Kenworthy discloses all the limitations of claim 5 (see rejection of claim 1), except the receiver direct converter, the reference direct converter, and the matched filter have approximately 90 dB attenuation. However, Kenworthy does disclose an example in which the receiver direct converter, the reference direct converter, and the matched filter have approximately 40 dB attenuation (column 4, lines 21-34) to cancel an undesired signal. Kenworthy also discloses that the object of the system is to attenuate the interference to a level which is low enough that the signal of interest can be adequately demodulated (column 4, lines 8-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the canceller could have been designed to have a 90 dB attenuation in order to optimize the canceller and allow the canceller to attenuate an undesired signal which requires 90 dB attenuation to allow adequate demodulation of the signal of interest.

Regarding claims 6 and 7, Kenworthy discloses all the limitations of claims 6 and 7 (see rejection of claim 1), except Kenworthy does not disclose the receiver direct converter and the

reference direct converter have a sampling rate approximately equal to that of the carrier frequency of interest. However, Kenworthy discloses the signal is sampled by the receiver direct converter and the reference direct converter using A/D converters (Fig. 3, blocks 41 and 45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose a sampling rate equal to a carrier frequency of interest in order to obtain an accurate reconstruction of the signal of interest for further processing. Thus, choosing a sampling rate equal to the carrier frequency of interest does not constitute patentability.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kenworthy (U.S. Patent No. 5, 691, 978) in view of Yedid et al. (U. S. Patent No. 5, 396, 517).

Kenworthy discloses all the limitations of claim 8 (see rejection of claim 1) including an adaptive digital filter adapted to align the digitized transmit signal reference in a reference path with a transmit signal in a leakage receiver path, the adaptive filter outputting an compensated digitized transmit signal reference (Fig. 3, block 43, column 3, line 53-column 4, line 7). Kenworthy does not disclose the filter is an adaptive digital transversal filter adapted to align an amplitude and a phase of the digitized transmit signal reference in a reference path with a transmit signal in a leakage receiver path, the adaptive digital transversal filter outputting an compensated digitized transmit signal reference.

Yedid et al. discloses an adaptive canceller including an adaptive digital transversal filter adapted to align an amplitude and a phase (symbol values) of the digitized transmit signal reference (echo estimate signal) in a reference path with a transmit signal (received echo signal) in a leakage receiver path, the adaptive digital transversal filter outputting a compensated digitized transmit signal reference (Fig. 4, column 6, line 15-column 8, line 37). Therefere, it

would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the filter of Kenworthy with transversal filter of Yedid et al. since Yedid et al. states the transversal filter is capable of effectively tracking and compensating for non-linearities in system components that manifest themselves as added noise introduced into the received signal propagation path.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fertner (U. S. Patent No. 5, 793, 801) discloses canceling transmitter leakage by generating a transmit (echo) reference signal.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis B. Odom whose telephone number is 571-272-3046. The examiner can normally be reached on Monday- Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

STEPHEN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Curtis Odom
August 12, 2005